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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GEBAUER *et al.*

Appl. No.: 10/560,966

Filed: May 31, 2006

For: **Pyrazolopyrimidines**

Confirmation No.: 2373

Art Unit: 1754

Examiner: SAEED, Kamal A.

Atty. Docket: 2400.0140000/VLC/BLS

**Information Disclosure Statement
under 37 C.F.R. § 1.97(b)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **FP1** to **FP9** and **NPL1** to **NPL6** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and a patent application publication cited on the attached Form PTO/SB/08A, documents **US1** to **US3**, are not submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents, **FP1**, **FP3**, **FP7**, and **FP9**, cited on Form s PTO/SB/08A:

Document **FP1**, DE 31 30 633 A1, is in the German language. An English language equivalent of document **FP1** is listed as document **US1**.

Document **FP3**, DE 38 20 538 A1, is in the German language. An English language equivalent of document FP3 is cited as document **FP2** and submitted herewith.

Document **FP7**, FR 2 794 745 A1, is in the French language. An English language abstract of document FP7 is cited as document **NPL4** and submitted herewith.

Document **FP9**, WO 2004/00844 A1, is in the German language. An English language abstract of document FP9 can be found on the face page of the published patent application.

Applicants' would also like to bring to the attention of the Examiner that, for the following document, the volume could not be determined to the best of the Applicants' ability: **NPL1**, Chesterfield, J., *et al.*, "Pyrimidines. Part VIII. Halogens and Hydroxing pyrimidines," *J. Chem. Soc.* :3478-3481, Royal Society of Chemistry (1955).

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: MARCH 13, 2007

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(Use as many sheets as necessary)

Sheet	1	of	1
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
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Application Number	10/560,966
Filing Date	May 31, 2006
First Named Inventor	Olaf GEBAUER
Art Unit	1754
Examiner Name	SAEED, Kamal A.
Attorney Docket Number	2400.0140000/VLC/BLS

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		Country Code ² Number ³ Kind Code ⁴ (if known)			T ⁵
/BK/	FP1	DE 31 30 633 A1	02/17/1983	BASF AG	
	FP2	GB 2 206 114 A	12/29/1988	Sandoz Ltd.	
	FP3	DE 38 20 538 A1	01/05/1989	Sandoz-Patent-GmbH	
	FP4	WO 96/37494 A1	11/28/1996	Zeneca Limited	
	FP5	WO 98/25923 A1	06/18/1998	Zeneca Limited	
	FP6	WO 99/32464 A1	07/01/1999	Novartis AG; Novartis-Erfindungen Verwaltungsgesellschaft mbH	
		FP7	FR 2 794 745 A1	12/15/2000	American Cyanamid Company
	FP8	WO 01/11965 A1	02/22/2001	Aventis CropScience GmbH	
	FP9	WO 2004/00844 A1	03/12/2003	Bayer CropScience Aktiengesellschaft	Abs

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Examiner Signature	/Bruck Kifle/ (02/29/2008)	Date Considered	02/29/2008
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This collection of information is required 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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*Admitted only in Virginia
*Practice limited to
Federal Agencies

March 13, 2007

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Art Unit 1754

Attn: Mail Stop Amendment

Re: U.S. Patent Application
Application No. 10/560,966; § 371 Filing Date: May 31, 2006
For: **Pyrazolopyrimidines**
Inventors: GEBAUER *et al.*
Our Ref: 2400.0140000/VLC/BSL

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement under 37 C.F.R. § 1.97(b);
2. Form PTO/SB/08A (1 sheet);
3. Form PTO/SB/08A (1 sheet);
4. Copies of fifteen (15) cited references (FP1 - FP9 and NPL1 - NPL6);
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents

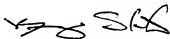
March 13, 2007

Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Bryan L. Skelton
Attorney for Applicants
Registration No. 50,893

BLS/egw
Enclosure(s)

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Equivalent of Form PTO/SB/08B (09-08)

Approved for use through 03/31/2007. OMB 0651-0031

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Application Number				10/560,966	
Filing Date				May 31, 2006	
First Named Inventor				GEBAUER, Olaf	
Art Unit				1754	
Examiner Name				SAEED, Kamal A.	
Attorney Docket Number				2400.0140000/VLC/BLS	
Sheet	1	of	1		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
/BK/	NPL1	Chesterfield, J., <i>et al.</i> , "Pyrimidines. Part VIII. Halogeno- and Hydrazino-pyrimidines," <i>J. Chem. Soc.</i> :3478-3481, Royal Society of Chemistry (1955)	
	NPL2	Novinson, T., <i>et al.</i> , "Novel Heterocyclic Nitrofurfural Hydrazones. In Vivo Antitrypanosomal Activity," <i>J. Med. Chem.</i> 19:512-516, American Chemical Society (1976)	
	NPL3	Novinson, T., <i>et al.</i> , "Synthesis and Antifungal Properties of Certain 7-Alkylaminopyraolo[1,5-a]pyrimidines," <i>J. Med. Chem.</i> 20:296-299, American Chemical Society (1977)	
	NPL4	Dialog 351, Accession No. 10503903, Derwent WPI English language abstract for FR 2 794 745 A1 (listed on accompanying PTO/SB/08A as FP7) (2000)	
	NPL5	STNEasy Database, CAS Registry No. 185982-80-3, accessed March 9, 2007	
	NPL6	STNEasy Database, CAS Registry No. 185984-60-5, accessed March 9, 2007	

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Examiner Signature	/Bruck Kifle/ (02/29/2008)	Date Considered	02/29/2008
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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